



THE CITY OF NEW YORK  
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December 8, 2011

**VIA ECF**

Honorable Roanne L. Mann  
United States Magistrate Judge  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Keiry Hernandez v. The City of New York, et al.  
11 CV 1317 (SJ) (RLM)

Your Honor:

I am an Assistant Corporation Counsel in the Special Federal Litigation Division of the New York City Law Department and am assigned to represent defendants The City of New York and P.O. Richard C. Gotterbarn (hereinafter referred to collectively as "Defendants") in the above-referenced matter.

I write, with the consent of plaintiff's counsel, Kim Richman, Esq., to respectfully advise the Court that the parties have agreed to settle this matter. We are in the process of preparing the necessary paperwork, and will forward a fully-executed Stipulation of Settlement to the Court as soon as possible.

Based on the foregoing, the parties respectfully request that the Settlement Conference scheduled for tomorrow, December 9, 2011, at 2:00 p.m. be canceled. We apologize to the Court for this belated request. Thank you for your consideration herein.

Respectfully submitted,

/s/

Erica M. Haber  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Kim Richman, Esq.  
(via ECF)